

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**ORIGIN BANK F/K/A COMMUNITY TRUST BANK**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 3:21-cv-61-TSL-MTP**

**HAVEN CAMPUS COMMUNITIES – STARKVILLE, LLC,  
STEPHEN H. WHISENANT, JOHN A. WILLIAMS, JR.,  
AND MARK BOUTWELL**

**DEFENDANTS**

**EMERGENCY MOTION FOR CONTINUANCE**

COMES NOW Stephen H. Whisenant (“Mr. Whisenant”) and files this his *Emergency Motion for Continuance* (the “Motion”), and in support thereof, would respectfully show as follows, to-wit:

1. Mr. Whisenant, a citizen of Georgia, has advised counsel this morning that he has contracted an unusual and strange rash across his neck and arms. The rash is extremely painful, and very sensitive to the touch, so much so that wearing clothing over the rash makes it even more painful.
2. Mr. Whisenant has an appointment with a dermatologist to determine the cause, and cure, of this rash, but he could not get such an appointment until after the trial in this matter which is set for February 22, 2022. This malady sounds for all the world like it is a case of shingles, which is not likely to dissipate or go away by the trial.
3. Mr. Whisenant cannot travel in a car for several hours to the trial because of the pain and coverings that would make the rash worse, and although flying to the trial would shorten that period of time, it is still more pain than he can tolerate and wearing dress clothing at the trial would only make the rash more painful and worse.
4. Mr. Whisenant is seeking additional medical attention faster, but as of the filing of

the Motion, does not have that set yet.

5. Other grounds to be assigned upon a hearing hereof if necessary.

WHEREFORE, PREMISES CONSIDERED, Mr. Whisenant respectfully prays that upon a hearing hereof this Court will enter its order continuing the trial of this matter until he can participate either pain-free or pain-tolerant. Mr. Whisenant prays for general relief.

THIS, the 17<sup>th</sup> day of February, 2022.

Respectfully submitted,

STEPHEN H. WHISENANT

By His Attorneys,

LAW OFFICES OF CRAIG M. GENO, PLLC

By: /s/ Craig M. Geno

Craig M. Geno

OF COUNSEL:

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**CERTIFICATE OF SERVICE**

I, Craig M. Geno, do hereby certify that I have caused to be served this date, via electronic filing transmission, a true and correct copy of the above and foregoing to the following:

Sarah Beth Wilson, Esq.  
[sarah.beth.wilson@phelps.com](mailto:sarah.beth.wilson@phelps.com)

David L. Bury, Jr., Esq.  
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THIS, the 17<sup>th</sup> day of February, 2022.

*/s/ Craig M. Geno* \_\_\_\_\_  
Craig M. Geno